

REMARKS

Status of Claims

Claims 1 – 44 were original in the application. Claims 2 - 7, 9 – 12, 14, 15, 17, 18 and 20 – 44 have been cancelled without prejudice. Claims 45 – 65 have been added. Claims 1, 8, and 19 have been currently amended. Claims 1, 8, 13, 16, 19 and 45 – 65 are submitted for examination on the merits.

Rejection Pursuant to 35 USC 102

Claim 1 was rejected as being anticipated by Kuo US Patent No. 6,623,698. In response to the last amendment made by the Applicant in regard to claim 1, the Applicant argued that Kuo fails to teach an external communication. The Examiner contended that the *claim language* only requires a stick/handle that is connected to the platform for exterior communication with the microchip. Since Kuo teaches a handle 2 that is exterior to the brush head (i.e. platform) and communicates with at least one sensor (i.e. microchip) via a signal lead and/or channel in the brush head, the Examiner submitted that a communication between the microchip, which is located in the platform and a stick/handle, which is exterior to the platform, can be construed as an exterior communication of the microchip from the platform to the handle. The Examiner broadly construed Kuo's toothbrush handle as a "base unit".

Claim 1 has been amended to include the subject matter of the dependent claims in an active cooperative base unit that assists the operation of the lollipop microchip in

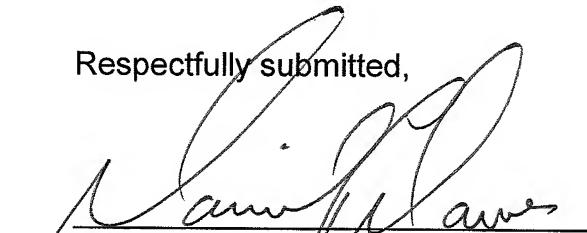
any one of a number of different ways to provide an intelligent automated clinical diagnostic and treatment system with the capability of communication with exterior devices, which may include networked systems which introduce relevant external medical information or expert systems concerning the patient and drugs or treatment.

Kuo is distinguish for among several grounds in that the handle 2 of Kuo is fixed or dedicated to a single toothbrush and is not interchangeable with a plurality of different toothbrushes or collection devices. In col. 6, lines 32 – 44, Kuo describes switching reagents in the handle to perform different tests, but the microchip and saliva collection device are not interchangeable nor change out. This fixed relationship inherently limits the types and numbers of tests that can be performed by Kuo, since the testing device connected to the microchip must always be the same or hardwired to it. Kuo does not disclose an apparatus or system where a large of very different kinds of oral testing devices can be interchangeably communicated to a universal, interactive base unit or microprocessor, thereby giving virtually unlimited capability to the system on the range and type of oral assays that can be performed using one system. In the claimed system a different lollipop, using radically different kinds of bioassays or collection approaches, can be interchanged and controlled by the same programmable base unit. In addition, in the claimed invention the same base unit and system can then be used for radically different kinds of therapeutic treatments, which would be impossible if the controlled device in the lollipop were restricted to the single type of saliva collection device shown by Kuo.

Doneen is even farther afield for failing to show a microprocessor or microchip, but is similarly limited to a fixed relationship between the collection device and the indicator film.

Applicant respectfully requests advancement of the claims to allowance.

Respectfully submitted,


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